UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,634	03/09/2001	Shimon Shmueli	4989-005	8535

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EXAMINER
FADOK, MARK A

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _09 March 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _2,3_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 13 is objected to because of the following informalities: the claim recites 2

features that start with the same letter (a). Appropriate correction is required.

Examiner's Note

Examiner has cited particular columns and line numbers or figures in the

references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are

applied to the specific limitations within the individual claim, other passages and figures

may apply as well. It is respectfully requested from the applicant, in preparing the

responses, to fully consider the references in entirety as potentially teaching all or part

of the claimed invention, as well as the context of the passage as taught by the prior art

or disclosed by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1,3-6,9-13,15-18,21 and 23-26 are rejected under 35 U.S.C. 103(a) as

being unpatentable over O'Leary et al. (US 6,609,113) in view of Rallis et al. (US

6,425,084).

In regards to claim 1, O'Leary discloses a portable device comprising: a) a body

(col 5, lines 55-60, PDA and cell phone technologies, note: applicant's invention PG pub

2002/0147653, page 3, para 31, indicates that the key can be implemented on a PDA or

mobile phone);

b) memory within the body containing software and financial account information (col

4, lines 55-65 and col 5, lines 15-20);

O'Leary teaches interacting with a smart card (col 1, line 36), which is known to

carry personal information that can be transferred to a host device and loading software

to a processor, (see Payment Portal Processor (PPP)). This software program

augments any Internet browser with e-commerce capability. O'Leary, however, does not

specifically mention that the device has an interface that facilitates interaction with the

computing device. Rallis teaches a key that is inserted into a host computer containing

memory. It would have been obvious to a person having ordinary skill in the art to

include in O'Leary the key device of Rallis, because this would allow personal

information and computing software to be transported to accessing devices, creating

improved security and accessibility.

d) the software adapted to execute on the host computing device to instruct the host

computing device to:

i)   recognize financial account fields in a web page during a

browsing session (col 5, lines 15-40); and

ii)   fill in the financial account fields in the web page with the

financial account information from the portable device to facilitate a web-based

transaction (col 5, lines 29-35, payment forms automatically filled out).

In regards to claim 3, O'Leary teaches wherein the software is further adapted

to provide an authentication routine to execute on the host computing device (col 5,

lines 50-67),

O'Leary teaches authenticating using indicia (col 17, liners 1-10), but does not

specifically mention that the indicia is from a portable unit. Rallis teaches authenticating

a user by way of a portable key that stores encrypted identifying indicia which is

validated with stored matching information on a second device (see abstract and FIG 1).

It would have been obvious to a person having ordinary skill in the art at the time of the

invention to include in O'Leary storing indicia on a portable device for authentication,

because by having portability, the item could be used as a sophisticated key and

improve the usefulness of the system of O'Leary by not requiring the user to remember

complex algorithms.

In regards to claim 4, O'Leary teaches wherein the portable device stores login

information for a web site associated with the web-based transaction (col 9, lines 11-30)

and

the software is further adapted to instruct the host computing device to determine

if login information is necessary for the web site and provide the login information upon

entering the web site (col 14, lines 20-30).

In regards to claim 5, O'Leary teaches wherein a bookmark for the web site is

stored on the portable device and

the software is further adapted to instruct the host computing device to make the

bookmark accessible by a browser running on the host computing device such that a

user may use the bookmark to efficiently access the web site via the browser (col 9,

lines 1-30, website button link).

In regards to claim 6, O'Leary teaches wherein the portable device stores

shipping information for an item selected for purchase during the web-based transaction

and

the software is further adapted to instruct the host computing device to access

the shipping information and provide the shipping information to the web site to facilitate

delivery of the item selected for purchase (col 9, line 62 through col 10, line 12).

In regards to claim 9, O'Leary teaches wherein the software is adapted to

emulate a file system resident on the host computing device when interacting with the

host computing device. (col 5, lines 15-40, saved wallet data)

In regards to claim 10, O'Leary teaches wherein the software is adapted to appear as a file system to the host computing device (FIG 6, Item 215, wallet).

In regards to claim 11, O'Leary teaches wherein the interface is adapted to directly interface a port in the host computing device (Rallis, FIG 1A and 1B).

In regards to claim 12, O'Leary teaches wherein the interface is adapted to provide a wireless interface with the host computing device (col 5, lines 55-60, cell phones and PDA's).

In regards to claim 13, O'Leary discloses a computer readable medium including software to reside on a portable device capable of interacting with a plurality of host computing devices,

the software comprising instructions for the host computing device to:

a) execute on the host computing device during a computing session;

b)recognize financial account fields in a web page during a browsing session; and

c) fill in the financial account fields in the web page with financial account information stored on the portable device to facilitate a web-based transaction (see response to claim 1).

In regards to claim 15, O'Leary teaches wherein the software is further adapted to provide an authentication routine to execute on the host computing device,

the authentication routine instructing the host computing device to receive authentication indicia from a user via an interface on the host computing device and determine if the authentication indicia received from the user matches authentication indicia stored on the portable device (see response to claim 3).

In regards to claim 16, O'Leary teaches wherein the portable device stores login information for a web site associated with the web-based transaction and the software is further adapted to instruct the host computing device to determine if login information is necessary for the web site and provide the login information upon entering the web site (see response to claim 4).

In regards to claim 17, O'Leary teaches wherein a bookmark for the web site is stored on the portable device and the software is further adapted to instruct the host computing device to make the bookmark accessible by a browser running on the host computing device such that the user may use the bookmark to efficiently access the web site via the browser (see response to claim 5).

In regards to claim 18, O'Leary teaches wherein the portable device stores shipping information for an item selected for purchase during the web-based transaction and the software is further adapted to instruct the host computing device to access the

shipping information and provide the shipping information to the web site to facilitate

delivery of the item selected for purchase (see response to claim 6).

In regards to claim 21, O'Leary discloses a method for facilitating a web-based

transaction using a portable device capable of interacting with a plurality of host

computing devices, the method comprising: a) executing software resident on the

portable device on a host computing device in association with a computing session; b)

recognizing financial account fields in a web page during a browsing session; and c)

filling in the financial account fields in the web page with financial account information

stored on the portable device to facilitate a web-based transaction (see response to

claim 1).

In regards to claim 23, O'Leary teaches receiving authentication indicia from a

user via an interface on the host computing device and determining if the authentication

indicia received from the user matches authentication indicia stored on the portable

device (see response to claim 3).

In regards to claim 24, O'Leary teaches wherein the portable device stores

login information for a web site associated with the web-based transaction and further

comprising determining if login information is necessary for the web site and providing

the login information upon entering the web site (see response to claim 4).

In regards to claim 25, O'Leary teaches wherein a bookmark for the web site is stored on the portable device and further comprising making the bookmark accessible by a browser running on the host computing device such that a user may use the bookmark to efficiently access the web site via the browser (see response to claim 5). 26. The method of claim 21 wherein the portable device stores shipping information for an item selected for purchase during the web-based transaction and further comprising accessing the shipping information and providing the shipping information to the web site to facilitate delivery of the item selected for purchase (see response to claim 6).

Claims 2,7,8,14,19,20,22, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Leary et al. (US 6,609,113) in view of Rallis et al. (US 6,425,084) and further in view of Official Notice.

In regards to claim 2, the combination of O'Leary and Rallis teaches multiple financial accounts and debit card numbers stored on a portable device along with accessing these items (col 9, line 62 through col 10, line 12), neither, however, specifically mentions that the program queries the user for the proper entry. The use of pull down menus to offer such selections and later filling in the selected choice was old and well known in the art at the time of the invention. It would have been obvious to a person having ordinary skill in the art to include in O'Leary a presentation of choices and a selection method such as a pull down menu, because this would offer a

convenient way of presenting the stored information and has been known to speed
selection and save space on a web form.

In regards to claim 7, O'Leary teaches multiple shipping addresses and
alternate shipping addresses stored on a portable device along with accessing these
items (col 9, line 62 through col 10, line 12), but does not specifically mention that the
program queries the user for the proper entry. The use of pull down menus to offer
selections and later filling in the selected choice was old and well known in the art at the
time of the invention. It would have been obvious to a person having ordinary skill in the
art at the time of the invention to include in O'Leary a presentation of choices and
selection method such as a pull down menu, because this would offer a convenient way
of presenting the stored information and has been known to speed selection and save
space on a web form.

In regards to claim 8, O'Leary teaches automatically executing on the host
computing device in association with the computing session (col 4, lines 55-60), but
does not specifically mention that in association with termination of the computing
session, instructing the host computing device to remove records pertaining to the
computing session from the host computing device to enhance privacy associated with
the computing session. It was old and well known at the time of the invention to remove
legacy information from a host computer that was temporarily used. It would have been
obvious to a person having ordinary skill in the art to include in O'Leary the removal

programming as taught in the instant claims, because this would assure that people

using, say a kiosk, would have personal information regarding their session removed so

others could not see what they were doing during their session, thus improving privacy

and security.

In regards to claim 14, O'Leary teaches wherein the financial account

information relates to a plurality of financial accounts, the software further adapted to

instruct the host computing

device to:

a) query a user to select one of the plurality of financial

accounts;

b) receive selection indicia from the user; and

c) fill in the financial account fields in the web page with certain

of the financial account information corresponding to the selected one of the plurality of

financial accounts (see response to claim 2).

In regards to claim 19, O'Leary teaches wherein the shipping information

includes a plurality of shipping addresses,

the software further adapted to instruct the host computing device to:

a)   query a user to select one of the plurality of shipping addresses;

b) receive selection indicia from the user; and

b)   fill in the shipping address fields with certain of the shipping

information corresponding to the selected one of the plurality of shipping addresses
(see response to claim 7).

In regards to claim 20, O'Leary teaches wherein the software is further adapted
to automatically execute on the host computing device in association with the computing
session, and in association with termination of the computing session, instruct the host
computing device to remove records pertaining to the computing session from the host
computing device to enhance privacy associated with the computing session (see
response to claim 8).

In regards to claim 22, O'Leary teaches wherein the financial account
information relates to a plurality of financial accounts, the method further comprising: a)
querying the user to select one of the plurality of financial accounts; b) receiving
selection indicia from the user; and c) filling in the financial account fields in the web
page with certain of the financial account information corresponding to the selected one
of the plurality of financial accounts (see response to claim 2).

In regards to claim 27, O'Leary teaches wherein the shipping information
includes a plurality of shipping addresses and further comprising: a) querying a user to
select one of the plurality of shipping addresses; b) receiving selection indicia from the
user; and c) filling in the shipping address fields with certain of the shipping information

corresponding to the selected one of the plurality of shipping addresses (see response to claim 7).

In regards to claim 28, O'Leary teaches removing records pertaining to the computing session from the host computing device to enhance privacy associated with the computing session in association with termination of the computing session (see response to claim 8).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mark Fadok** whose telephone number is **(703) 605-4252**. The examiner can normally be reached Monday thru Thursday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Vincent Millin** can be reached on **(703) 308-1065**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Va. 22313-1450

or faxed to:

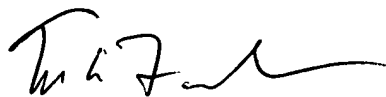**(703) 872-9306**   [Official communications; including

After Final communications labeled

"Box AF"]

(703) 746-7206 [Informal/Draft communications, labeled

"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal

Drive, Arlington, VA, 7th floor receptionist.

Mark Fadok

Patent Examiner